

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES of AMERICA,

Plaintiff,

v.

No. 1:21-cv-958 GBW/KRS

\$68,868.59 in Funds from Bank of America
Acct. Ending 1889,

Defendant.

ORDER QUASHING ORDER TO SHOW CAUSE

THIS MATTER comes before the Court on its Order to Show Cause, (Doc. 5), entered March 25, 2022. The Court ordered Plaintiff to show cause by April 25, 2022 why this case should not be dismissed for failure to prosecute. On April 4, 2022, Plaintiff filed a Request for Clerk's Entry of Default, in which Plaintiff established that it had posted a Notice of Civil Forfeiture from November 3, 2021 through December 2, 2021, and that on November 2, 2021 Plaintiff sent notice of this forfeiture action to the attorney representing the potential claimant. (Doc. 7). On April 5, 2022, the Clerk of this Court entered default as to Defendant, (Doc. 8), and on April 21, 2022, Plaintiff filed a Motion for Default Judgment, (Doc. 11), seeking the Court's entry of default judgment pursuant to Fed. R. Civ. P. 55(b)(2). In light of these filings, the Court is satisfied that Plaintiff should not be subject to sanctions for failure to prosecute. Therefore, the Court's Order to Show Cause, (Doc. 5), is hereby QUASHED.



KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE